

1 United States Code, Section 853, based on Henry James Holt's guilty plea to Bank Fraud,
2 as charged in Count 3 of the Indictment, in violation of Title 18, United States Code,
3 Sections 1344, and his agreement to forfeit the property.

4 Pursuant to Title 21, United States Code, Section 853(n), the United States
5 published notice in The Daily Journal of Commerce on February 15, 2008, February 22,
6 2008, and February 29, 2008. In the publication the United States published notice of the
7 Preliminary Order of Forfeiture and the intent of the United States to dispose of the
8 property in accordance with law. Within the notice, the property was listed as "All
9 proceeds contained in McDonald Investment Account Number 62401371, now an
10 account at UBS Financial Services (As of April 24, 2007, the balance was \$68,132.66)."
11 This notice further stated that any person other than the defendant having or claiming an
12 interest in the property was required to file a petition with the Court within thirty (30)
13 days of the final publication of the notice or personal receipt of the notice, whichever was
14 earlier, setting forth the nature of the petitioner's right, title, and interest in the property.

15 All persons and entities believed to have an interest in the property subject to
16 forfeiture were given proper notice of the intended forfeiture.

17 No petitioners or claimants have come forth to assert an interest in the forfeited
18 property, and the time for doing so has expired.

19 On February 29, 2008, the Internal Revenue Service Criminal Investigations (IRS-
20 CI) seized \$59,611.13, the contents of the account at UBS Financial. On March 31,
21 2008, IRS-CI seized UBS Financial Services dividend check no. 512463 for \$29.16,
22 representing additional proceeds of the seized account.

23 On April 30, 2008, the United States filed a Motion (and proposed Order) for
24 Entry of Final Order of Forfeiture. (Docket #52). Said Motion and Order incorrectly
25 listed the property to be forfeited as follows:

- 26 1. \$59,611.13 in U.S. Currency, representing all proceeds contained in
27 McDonald Investment Account Number 62401371, subsequently
converted to an account at UBS Financial Services.

28 Now the United States seeks, by motion, to amend the Final Order of Forfeiture to

1 forfeit the \$29.16 from UBS dividend check 512463 in addition to above-described
2 property.

3 Accordingly,


4 IT IS ORDERED, ADJUDGED and DECREED that the following property is
5 hereby fully and finally condemned and forfeited to the United States in its entirety:

- 6 1. \$59,611.13 in U.S. Currency, representing all proceeds contained in
7 McDonald Investment Account Number 62401371, subsequently
8 converted to an account at UBS Financial Services.
- 9 Criminal 2. \$29.16 in U.S. Currency from UBS Financial Services dividend
10 proceeds check No. 512463 seized by the Internal Revenue Service
11 Investigation on March 31, 2008, representing additional
12 of McDonald Investment Account Number 62401371,
13 subsequently converted to an account at UBS Financial
14 Services.

15 The Department of Treasury is authorized to dispose of the above-listed property in
16 accordance with the law.

17 The Clerk of the Court is hereby directed to send a copy of this Final Order of
18 Forfeiture to all counsel of record and to send six (6) "raised seal" certified copies to the
19 United States Attorney's Office in Seattle, Washington.

20 DATED this 6th day of October, 2008.

21 
22 FRANKLIN D. BURGESS
23 UNITED STATES DISTRICT JUDGE

24 Presented by:

25 _____
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